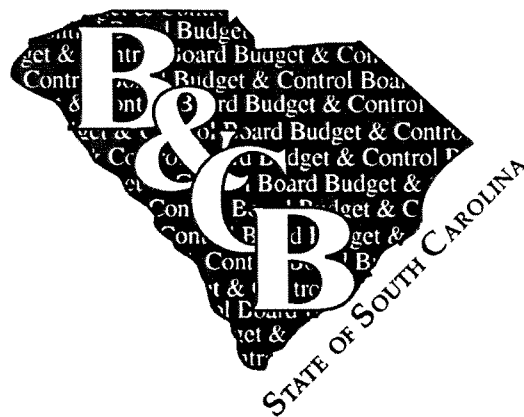


**February 11, 2004**

# State Government News Summary



**Prepared by the Budget and Control Board  
Office of the Executive Director**



Posted on Wed, Feb. 11, 2004

## Plan to privatize parks concerns some in S.C.

Proposal mulled for Hickory Knob, others, to save cash

By JOEY HOLLEMAN  
Staff Writer

The state park service is considering turning over some of its operations to private contractors, including all of Hickory Knob State Resort Park.

The move could save the state money — it lost \$3 million in the past five years running Hickory Knob, for example.

At the same time, the state might get additional money by leasing the management of campgrounds at Myrtle Beach State Park, the golf course at Cheraw State Park and park stores throughout the system.

Gov. Mark Sanford presented all those ideas in his proposed 2004-2005 budget.

However, some park fans are asking whether private entities can offer the same friendly service given by state park employees. Will they care for the historic structures and the park environment? Will prices soar?

"Our park has always been considered a people's park, with rates where anyone could go in and enjoy it," McCormick Mayor Miriam Patterson said of nearby Hickory Knob. "The fear is that this is going to be taken away. It's going to be out of our price range."

Van Stickles, director of state parks, said many of the concerns could be covered in leases with private operators. The state could require that a certain amount of revenue go to upkeep of the properties. And it could place caps on prices at the golf courses or lodges.

Stickles also noted that none of the suggestions is set in stone. Any change at Hickory Knob would have to get on a fast track to be in place by the start of the 2004-2005 fiscal year July 1.

Hickory Knob, which lost about \$550,000 last year, is a strong candidate because of its resort character. A management company could run the golf course, lodge and cabins.

Chad Prosser, director of the S.C. Department of Parks, Recreation and Tourism and Stickles' boss, said the agency still could decide not to seek a private operator at Hickory Knob. If so, however, the state will have to change the way it runs the facility.

Stickles isn't sure whether turning the campgrounds at Myrtle Beach State Park over to a private company is feasible. The campsites ramble throughout the park and would be difficult to separate from the rest of the park's operation, he said.

Wes Cooler, the son of a former state park manager who now lives near Keowee-Toxaway State Park, can see positives in privatization. But he worries it could go too far.

"Are we going to see the Coca-Cola Chair Lift at Table Rock?" he asked.

Nobody in the state park service expects it to go that far.

#### FINANCIAL BENEFITS

Prosser outlined some of the possibilities at a park managers' meeting last month. Many of the ideas have been under consideration for years.

"Our task is to run the park system more efficiently on a fiscal basis," Prosser said. "One of the tools in the toolbox is privatization."

Privatization and other operating efficiencies could save the state \$1.4 million, according to the budget plan. But it's not that simple.

In Georgia, private companies signed long-term leases in the late 1990s on the operation of lodges at three state parks. Three years later, the lawyers were at it again, negotiating to dissolve the leases at Unicoi, Amicalola Falls and Red Top Mountain parks.

The companies operating the lodges couldn't make enough profit, partly because the leases called for them to make \$2 million in improvements to facilities. Also, the state was disappointed in the quality of the lodge operation, said Bob Newsome, who helped coordinate the effort for the state.

The experience has been better at other Georgia properties, including Stone Mountain Park and the upscale Lake Lanier Islands, Newsome said. They have made money for their operators and, through lease provisions, for the state.

He thinks South Carolina can learn from Georgia's experience.

"The plans need to look at what they would need for economic sustainability," he said. "Don't force anything."

South Carolina officials like to compare their efforts to those of national parks, where private companies long have run lodges, restaurants and other operations, including the ferry to Fort Sumter.

Federal officials considered starting their own ferry in the 1990s, but they decided to stick with the status quo. "We feel the private community is more qualified and can do it more efficiently than we can do it," said Fort Sumter superintendent John Tucker.

The key, state park officials said, is to target operations where private companies have more expertise. For now, there's no intention of turning over the cabins or campgrounds at most parks. Stickles can't imagine letting a motel company run the dozens of historic cabins built by the Civilian Conservation Corps in the 1930s.

But park stores and golf courses are fair game.

"The point of connection with park rangers should be interpretation of sea turtles ... instead of counting plastic alligators in the gift shop," Prosser said.

In most cases, the park service and private operators would work side-by-side in parks. Hickory Knob could be the exception. Park service leaders said they could envision a contract that calls for a private entity running the entire park, with nobody at the facility wearing the familiar green park service uniforms.

That concerns people in McCormick County, and not just because dozens of people could lose state jobs. (A private operator probably would rehire some of those workers.) They wonder whether a private company will care as much as those uniformed workers about the park and the community.

Mountain biking advocate Bill Victor worries that a private company will not see the value in maintaining trails at the park.

Patterson frets that higher prices at the park restaurant could force the Rotary Club to find somewhere else to meet.

"My community does care," Patterson said. "We're doing what we can do to save the park."

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Posted on Wed, Feb. 11, 2004

## Bill would require parents to participate at child's school

Associated Press

**COLUMBIA, S.C.** - State Rep. Doug Smith wants to make sure South Carolina parents participate in their children's success at school.

The Republican from Spartanburg has introduced a bill that would mean fines, and in the most extreme cases jail time, for parents who chronically ignore a school's request for a conference to talk about a student's academic or behavioral problems.

"This is not directed toward 98 percent of the parents in this state," Smith said. "There are some parents out there who think that school is the place you send your child to get away from them. Evidence of that is when they don't show up when there's a problem."

The proposal would allow a district to request that a magistrate issue a subpoena to a parent who fails to attend a school's third request for a conference to discuss a student's academic progress or a violation of school rules.

A parent who ignores the subpoena can be held in contempt and ordered to attend a parental responsibility program, shadow the student, pay a fine of up to \$500 or go to jail for up to 30 days for each violation.

The bill also requires districts to adopt student discipline and truancy policies and mandates that the state Department of Education develop training programs for school employees who work with at-risk students and their parents.

Spartanburg School District 3 Superintendent James Ray said the legislation has been needed for a long time.

"Across the nation there's more testing and school accountability," Ray said. "The missing link has been parents taking involvement when issues arise regarding achievement, attendance or behavior."

Rep. Scott Talley, R-Moore, said the bill is a way to improve education without throwing money at it.

"We can funnel dollars to education and provide resources to build great schools," Talley said. "But the majority of a child's day is spent away from school, and what happens there can carry over into the school setting."

The bill also would increase the mandatory attendance age from 17 to 18.

Spartanburg District 4 Superintendent Rollie Liston said forcing students to stay in school until their 18th birthday could place additional burdens on them.

Liston said there are instances where students quit school because they have to work to help support their

families or because of medical emergencies.

He said he believes it's OK for students in those situations, or for students who aren't having success in a traditional setting, to seek alternatives such as GED programs and adult education.

But Ruth Schoonover, coordinator of attendance and a social worker in District 3, said raising the age requirement to 18 goes hand-in-hand with the Child Protection Act.

"The Child Protection Act says parents are still responsible for taking care of a child until they turn 18, but there's not anything they can do to prevent them from dropping out of school (when they are 17)," Schoonover said. "This legislation changes that."

Information from: Herald-Journal

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Posted on Wed, Feb. 11, 2004



## Four-year Sumter meets state's educational needs

By PHIL LEVENTIS  
Guest columnist

The State published an editorial railing about how inappropriate it is for USC Sumter to be permitted to award four-year degrees in its own right. It said this was just some local politicians playing games with higher education in our state. But the fine report done in The State by Jeff Stensland highlighted how the staff and professors at USC Sumter are ready to meet any challenge.

USC Sumter always has been rated in the top third of all state colleges since performance funding has been in place. In fact, USC Sumter was top-rated one year among all 33 colleges and universities.

Just as schools in Aiken, Beaufort, Spartanburg, Conway and Florence made the transition from two years to four, expanding educational opportunities has always helped all of South Carolina and uncouncted South Carolinians. All these expansions except USC Beaufort were done by legislation.

The governor and the president of USC have indicated their concerns. Their concerns about the process and the preparedness involved in this transition should not be dismissed, but are they the key issues here? And are they on the point?

Students want to work toward obtaining degrees that will help them move forward. That is the point. Students are not worried about a process to create the "perfect" university system in South Carolina four, 10 or more years from now. They aren't concerned about how much research their professors are doing or what they are publishing right now. Students in Sumter want professors who teach.

And that is what USC Sumter does, and what is consistent with its mission — to be a teaching institution.

The governor's concerns could delay educational opportunities for our students for years. President Andrew Sorensen's standards are completely out of bounds for a teaching institution, and are of little value to the undergraduate students.

Indeed, if President Sorensen's requirements for research, publishing and grant writing had been in place since 1965, campuses such as Spartanburg and Beaufort would have never been upgraded from two- to four-year status. The state would never have invested by taking over the College of Charleston in the late 1960s.

The tens of thousands of people who have four-year degrees from these institutions would have had to come to Columbia's campus to complete their degrees. That just would not have been possible for many of them. So South Carolina would have fewer people with degrees.

Does the governor or Dr. Sorrensen believe our state would be better with fewer people with four-year degrees?

Yet that is the result of the approach they are taking to our initiative for USC Sumter. Those of us who have lived, worked and invested our lives here in Sumter understand that more people with college

degrees always helps the community and our state.

The communities served by USC Sumter are willing to invest millions of dollars of local money over the next 10 years to enhance our university. Even without this investment, the cost of the transition to four year status will be zero to the system. The students will pay for their educations.

We in Sumter are ready to move ahead. We know the people at USC Sumter can do a fine job for the students and our state.

Sen. Leventis represents Sumter County in the S.C. Senate.

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Posted on Wed, Feb. 11, 2004



## Forcing adjutant general to raise campaign money inherently corrupt

By CINDI ROSS SCOPPE  
Associate Editor

THE MOST dramatic — and surprising — argument Adjutant General Stan Spears puts forward for why our state should continue to have the only elected military leader in the free world is that an appointive system leads to political corruption.

Exhibit A in Gen. Spears' presentation before a recent Senate public hearing was Kentucky, where he said the adjutant general is in prison for pressuring people to make \$1,000 donations to the governor who appointed him to the position.

Exhibit B was Oklahoma, where he said the appointed adjutant general is in prison for stealing hundreds of thousands of dollars as director of the Oklahoma National Guard Association, and using some of the money to make illegal contributions to the campaign of the governor who appointed him adjutant general.

It's true that adjutants general in both of those states were convicted of crimes stemming from the incidents Gen. Spears alleged, although neither man is still in prison, both crimes going back more than a decade.

It's also true that no adjutant general in South Carolina has ever been convicted — or even indicted; aren't we proud! — on charges of political corruption.

But the most important, and, for obvious reasons, unstated truth is this: It is the practice of S.C. adjutants general or people acting on their behalf to hit up their subordinates for campaign donations.

Indeed, adjutants general in our state have long been dogged by allegations that are eerily similar to the situation that landed the Kentucky adjutant general in federal prison — and resulted in a U.S. Army investigation that found he kicked 15 officers out of the Guard for refusing to donate.

During the 2002 election campaign, The Charlotte Observer found that nearly half the money Gen. Spears had raised since he first ran in 1994 came from National Guard officers above the rank of captain, or their immediate family members. The Observer's analysis, prompted by years of complaints from Guard members who said they felt tremendous pressure to contribute to Gen. Spears' campaigns, also found that senior officers who made donations were nearly twice as likely to be promoted as those who did not.

This problem is not confined to our current adjutant general.

Gen. Spears' predecessor, Eston Marchant, announced his retirement in 1994 amid two federal investigations of fund-raising for his campaigns. One probe was triggered by complaints by six Guard members who told The State they felt pressured to contribute to the adjutant general's campaign, and

that it was understood by officers that their contributions were to be based on their rank or grade.

Both adjutants general have consistently maintained that they never pressured anyone. But when I wrote a column after The Observer study arguing that Gen. Spears had no practical political choice but to raise money from Guard members, because we had forced him to act like a politician and politicians raise money, he called to tell me how right I was and to bemoan the fact that he had to raise money to run a campaign. (Then, as now, he disagreed with my conclusion: that this is yet another reason we should let the governor appoint the adjutant general.)

Those who are currently dependent on the system insist that there is no pressure applied at any level, and that any relationship between donations and promotions is mere coincidence. But even if you buy that argument, there's another problem, which cannot be denied: The pressure works in the opposite direction.

Retired Army Guard Col. Harvey Shackleford, who served as chief of staff of the S.C. Army National Guard and executive director of the S.C. National Guard Association, heads a group of more than 60 retired general officers in the Guard who have concluded that we must stop electing adjutants general. As he told the same Senate subcommittee that heard from Gen. Spears: "The adjutant general is obligated to many of his subordinates for their financial support."

This leaves the adjutant general in a no-win position. Promote your donors, and others will assume you're doing it because they gave you money, and morale will suffer. Don't promote your donors, in order to avoid the appearance of favoritism, and some of your best officers get passed over in favor of less-qualified officers; this can lead to even worse consequences than poor morale.

Can political considerations and even corruption creep into a system of appointment by the governor? Obviously they can, and in more cases than those two that have led to criminal convictions. But which is worse: a system in which those problems can occur, or one that is set up in such a way that there is absolutely no way to avoid them?

Gen. Spears' attempt to portray the appointive system as ripe for abuse is not merely an example of the pot calling the kettle black. This pot seems to think it is white.

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Posted on Wed, Feb. 11, 2004



## Appointed or not, adjutant general must be a general

MORE EMOTION AND raw political energy are being put into proposals to let the governor appoint the adjutant general than any other proposal for bringing our government into the 21st century.

And there is no question in our minds that this is not only an acceptable but an essential change. As one retired general officer reminded a Senate public hearing last month, the rest of the nation abandoned the idea of electing military leaders around the time of the Civil War; the rest of the world has likewise come around to our nation's way of thinking — that merit, not politics, should determine military leaders, and that military leaders should be directly and immediately accountable to civilian leaders.

But so much energy is being poured into the debate over who selects the adjutant general that a lot of people are overlooking a far more important question, which goes back to that notion of merit selection: that is, what we should require as a prerequisite for leading our state's National Guard.

Currently, the only requirement to be elected adjutant general is being a registered voter in this state. You don't even have to have military experience, much less a minimum rank. That's extraordinary, particularly when you consider the amount of raw firepower this person commands, and that his level of competence has, literally, life-and-death consequences.

Whether we allow the governor to appoint future adjutants general or continue to elect them, this must be changed.

No one should be allowed to hold the position of adjutant general unless he or she is a member or retired member of the S.C. National Guard who has achieved a federally recognized rank of at least colonel (the rank immediately below brigadier general). And adjutants general should not be allowed to remain in office after they lose their federal military recognition, which usually occurs when they reach the mandatory military retirement age of 64.

Many other qualifications merit consideration, and many details remain to be worked out about terms of office and nominating panels and the like. But these baseline requirements should not be debatable. And lawmakers should not delay approving them. They should either be passed as separate legislation this session or added to a constitutional question on the ballot this fall, as a Senate panel proposed Tuesday.

Requiring certain minimum qualifications for important positions is hardly a novel concept. Lawmakers have tacitly acknowledged the need for clearly defined qualifications for the leader of our state's military. State law requires that in the event of a vacancy, the governor must appoint a replacement who holds at least the rank of lieutenant colonel and has served at least 15 years in the S.C. National Guard.

Indeed, the Legislature sets minimal qualifications for positions where the need for qualifications pales in comparison. The agriculture commissioner, for example, is required by law to "have a competent knowledge of agriculture, manufacturing and general industries, commerce, chemistry and publicity."

If it is essential for the director of the Department of Agriculture to meet certain minimal job requirements, how much more important is it to have clearly defined qualifications for the person in charge of preparing thousands of South Carolinians for war?

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## Lawmakers battle gay marriage loopholes

BY CLAY BARBOUR  
Of The Post and Courier Staff

COLUMBIA--Saying they were fighting for the sanctity of marriage and family, about 30 state representatives came out loudly Tuesday for a measure that would deny benefits to gay couples who wed in other states.

"There can be no ambiguity on this issue," said state Rep. Gloria Haskins, R-Greenville, during a press conference Tuesday at the Statehouse. "We are determined to forge forever the certainty of marriage between a man and a woman."

Prompted by last week's Massachusetts Supreme Court ruling, which granted same-sex marriages the same rights and responsibilities as traditional marriages, South Carolina lawmakers are scrambling to shore up loopholes in the state's gay marriage ban, established in 1996.

Haskins and fellow Rep. Marty Coates, R-Florence, have authored identical bills that deal with the matter. More than 60 House members have signed on to the legislation.

On Tuesday, Coates said the measure was in response to the "onslaught" of challenges to the gay marriage ban across the country. "The day has come for the General Assembly of South Carolina, and hopefully with the governor concurring, to stand up for what most South Carolinians believe to be correct regarding marriage," he said.

Asked about the issue, Gov. Mark Sanford said, "As Jenny and I are the parents of four little boys, we've always taught our kids that marriage was something between a man and a woman. As governor, I am supportive of legislation that furthers that definition here in South Carolina."

Senate President Pro Tem Glenn McConnell, R-Charleston, said if the bill makes its way to the Senate, it would receive close consideration.

It is possible such a law could be deemed unconstitutional. The U.S. Constitution says, "Full faith and credit shall be given in each state to the public acts, records, and judicial proceedings of every other state."

Coates said his legislation might be challenged in that regard.

"Clearly that is the question that seems to be prevailing across the nation, whether or not one state can in fact not recognize the laws of another state,"

he said. "We believe that at some point, the federal government is going to have to address this issue."

Currently there are two bills in Congress that call for a constitutional amendment to define marriage as a union between one man and one woman. State Rep. John Graham Altman, R-Charleston, wants to add an amendment to either Haskins' or Coates' bill that will do the same thing.

South Carolina is one of 38 states to ban gay marriages. It is one of 17 considering strengthening its ban by addressing issues such as employer-provided domestic partner benefits, joint and second-parent adoptions, recognition of same-sex couples' legal contracts and health care decision-making proxies.

In the crowd Tuesday was Tony Snell, former president of the S.C. Gay and Lesbian Pride Movement. Snell said he was amazed the legislators were so concerned with gay marriages.

"This is nothing but red meat thrown out during an election year," he said. "They say they are for families. Then they should spend their time addressing the economy and jobs. Unemployment, think about what that's doing to families."

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## Beef up and pass lobbying ban

State Supreme Court Chief Justice Jean Toal has said she's willing to take any criticism that comes her way for hiring a firm to lobby for a fee increase to cover the court system's budget cuts. Since the chief justice was just re-elected to a 10-year term without opposition, we'd say she's fairly well insulated from any heat her decision might generate. But the court, and all public bodies, ought to be prohibited from contracting with outside lobbyists to make their cases.

According to an article this week in The Greenville News, the chief justice told the newspaper she has agreed to pay J. Warren Tompkins Inc. \$30,000 from bar-exam fees to try to convince the Legislature to give the court system a more stable source of revenue. The most obvious target is an increase in the court filing fees.

The chief justice's action is said to have been initiated by court officials around the state after the successful but controversial hire of the Tompkins firm last year by a group of solicitors. Some lawmakers later said they weren't aware until after the fact that the firm had been hired for \$25,000 from forfeited bond funds. The solicitors were successful in getting a new \$25 surcharge on traffic tickets, earmarked for state law enforcement and criminal justice agencies. While the news account said 3.7 percent of the surcharge is going to the courts, Justice Toal was quoted as saying that doesn't come close to covering some \$12 million in budget cuts over the past three years.

The chief justice defended the latest \$30,000 expenditure, saying, "If there's some criticism, I guess I'll have to stand it. It's a way of trying to focus on our case with members of the General Assembly."

We don't doubt the court system has critical needs, as do any number of other state agencies that have been hit hard by the state's revenue crunch. But the Legislature ought to be able to evaluate those needs without the help of contract lobbyists.

Certainly we wouldn't expect the chief justice to spend days, or even hours, in the Statehouse buttonholing legislators. But she has a bully pulpit from which to make her case. Further, the chief justice's letters and telephone calls aren't likely to go unanswered. As Sen. Larry Martin of Pickens was quoted as saying in the Greenville article, "She's been very effective throughout her career advocating her position."

Berkeley Rep. Jim Merrill, who would like to ban all public institutions, down to the municipal level, from using paid lobbyists, said he was forced to water down his legislation to get it through the House last year. Initially, Rep.

Merrill wanted to prohibit government agencies from employing staff lobbyists as well as outside contractors. His revised bill, now in the Senate Judiciary Committee, only keeps state agencies from hiring outside lobbyists. He said he is advised the language doesn't cover the Supreme Court.

Considering what he's seen of the power of lobbyists in the Legislature, Rep. Merrill says he'll be happy to stop just state agencies from hiring outside lobbyists. He's learned, he said, that "you're doomed if you try to take on too much." Clearly the power of the lobbyists' lobby has been quite an eye-opener.

Rep. Merrill isn't trying to stop public institutions from sending their spokesmen to the Legislature to make their cases. What he has been trying to stop is the expenditure of public funds on staff salaries or outside contracts for that designated purpose. Gov. Mark Sanford, who backs Rep. Merrill's effort, has noted that the state spent \$1.9 million in one recent fiscal year "lobbying itself."

The governor already has practiced what he preaches on this issue with an executive order that has stopped members of his Cabinet from employing lobbyists. The practice, he said in his State of the State address, "creates an unacceptable cycle that fuels the growth of more government." Rather than any further watering down, the Senate should beef up the Merrill bill to make sure it covers all aspects of state government.

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Posted on Wed, Feb. 11, 2004

## Health market could aid growers

Industry in S.C. has good chance to benefit from Americans' health kick, experts say

By DAVE L'HEUREUX  
Staff Writer

South Carolina growers can grow rich by meeting Americans' "insatiable demand" for healthy foods, farm experts said Tuesday.

Consumers pay premium prices for meats and vegetables raised without chemicals, ensuring a fat bottom line for farmers.

But growers have to be willing to change their ways to take advantage of the health market.

"There's money to be made on people's health," said John Kelly, vice president of Clemson University's Public Service & Agriculture. "And yet there's a tremendous deficit in the supply of organic foods in this state."

Kelly was speaking at the two-day 2004 South Carolina AgExpo, which draws hundreds of farmers and farm suppliers to Columbia each year. This year, it is held at the Sheraton Hotel & Conference Center.

Agriculture remains one of South Carolina's largest industries, despite the continuing loss of farm acreage to development.

The industry employs more than 460,000 people, or 22.1 percent of the state's work force. It also creates \$15.1 billion in yearly income, according to the Palmetto AgriBusiness Council.

Yet speakers at a panel discussion on the future of S.C. agriculture warned of great challenges, including:

- A ban by 54 countries on U.S. beef because of the recent "mad cow" disease scare in the Northwest
- Further proposed funding cuts for the S.C. Department of Agriculture, and the Clemson extension program
- Lack of a modern State Farmers Market in the Columbia area
- Land-use restrictions on animal agriculture imposed at the county level.

"Our state regulations on animal agriculture are already among the most stringent in the country," said David Winkles, president of the S.C. Farm Bureau Federation. "Yet pressure grows to limit it throughout the state."

Speakers offered hope for growers, noting that Clemson University remains a major national center for research into plant and animal genetics.

Such research has produced more pest-resistant crops, despite concerted opposition in Europe and Asia to genetic modifications.

Farmers also are taking advantage of overseas markets. Last year, South Carolina was third among 16 Southeastern states in the amount of farm produce exports, said Charlie Sharpe, state agriculture commissioner.

Among the deals reached was the promised cash sale of 10 million pounds of frozen chicken to Cuba, Sharpe added.

"This kind of deal keeps the jobs here, and makes sure that the money comes home," he said.

The growth in consumer demand for produce free of chemicals continues to outstrip the available supply, Kelly said.

"It's a difficult market to move into, as there are so many niches," he added, referring to organic meats and vegetables, as well as medicinal herbs. "Yet there are riches in these niches."

Since last April, South Carolina has worked with growers wishing to become certified as organic farmers.

Further information on the S.C. Organic Certification Assistance Program is available from Larry Boyleston at the S.C. Department of Agriculture at (803) 734-2210.

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Posted on Wed, Feb. 11, 2004

## SLED finds no crime in business deal

Associated Press

**ROCK HILL, S.C.** - A media company acted legally when it received \$500,000 as an incentive in a business deal with the Lancaster County Council, the State Law Enforcement Division says.

An investigation shows FrontDoor Communications did not misuse, misappropriate, steal or scam the county out of the money, Lt. Mike Brown said.

The Council has fought to get the money back from FrontDoor president and CEO Robert Davis after the deal fell through.

The company had planned to spend \$150 million to build a complex to produce magazines and create 1,600 jobs over five years. But the company later downsized its investment, and the county eventually severed its contract for land and incentives.

Davis returned the \$500,000 in June, but his check bounced and he was later charged with one count of writing a fraudulent check and released on bond.

Davis was pleased with SLED's findings and said the finger-pointing had tarnished innocent lives.

But Councilman Stanley Smith says SLED didn't do a thorough investigation.

"I was one of the main players, and no one approached me - there were no telephone calls and no personal contact," he said. "I don't know how many hours they put in, but I don't feel like it was sufficient."

The investigation was requested by council member Calvin Blackmon and backed by Smith and council member Jack Estridge after they learned the company was given \$500,000 in cash as an incentive to locate in Lancaster County. They say the money was improperly paid without a public vote.

Council chairman, Rudy Carter, has admitted the council made procedural errors but the SLED report confirms there was no criminal intent, he said.

The report allows the council to get back to business, Carter said. "We can begin to pursue what needs to be pursued without this overshadowing us."

Davis said last month he would give the county the second mortgage on 200 acres he'd purchased in Lancaster. He hopes to sell the land and business, and the contract requires the new owner to repay the county.

If the deal falls through, Davis has pledged to make the payment after putting in water and sewer and refinancing.

Smith, however, doesn't believe the county will ever get its money back, he said.

"A second mortgage is not worth 15 cents if there is no money there."

Information from: The Herald

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Posted on Tue, Feb. 10, 2004

## Public Service Commission overhaul approved

Associated Press

**COLUMBIA, S.C.** - Elections for the Public Service Commission have been scheduled for March 3 after a two-year delay as the Legislature argued about overhauling the panel that regulates utilities.

The elections for seven seats have been delayed since 2002 as the Senate pushed for higher standards for commissioners and for barring legislators' family members from seeking the well paying jobs.

House Speaker David Wilkins said the bill came out of "perhaps the longest standing conference committee in the history of the state" before the House voted 107-1 to adopt it. The Senate adopted the compromise with a voice vote.

The legislation requires commissioners to have college degrees and a background applicable to PSC work. However, candidates already screened for those jobs won't have to meet those standards in the March 3 elections.

The compromise also creates a regulatory staff that operates separately from the commissioners. That regulatory staff would be run by an executive director that a legislative screening committee recommends to the governor.

"The public is ensured of a better decision-making process," Senate Judiciary Committee Chairman Glenn McConnell, R-Charleston, said. The overhaul helps remove politics from regulating businesses, he said.

Gov. Mark Sanford supports some portions of the bill that call for more accountability at the PSC, but will review the legislation, Sanford spokesman Will Folks said.

### ON THE NET

PSC Overhaul: [http://www.scstatehouse.net/sess115\\_2003-2004/bills/208.htm](http://www.scstatehouse.net/sess115_2003-2004/bills/208.htm)

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Posted on Tue, Feb. 10, 2004

## S.C. ranked first in fighting insurance fraud

Associated Press

**COLUMBIA, S.C.** - South Carolina leads the nation in convictions per dollar spent fighting insurance fraud, according to an annual report by Attorney General Henry McMaster.

In 2002, the state spent an average of \$3,000 on each of its 98 insurance fraud convictions, the report found. South Carolina had a 24 percent increase in investigations and an 18 percent increase in indictments from 2002.

The attorney general's office received 844 complaints of insurance fraud in 2003, with 44 percent focusing on auto insurance alone. The overall number of fraud complaints had decreased 7 percent from 2002.

McMaster said 2003 budget cuts forced the closing of the Greenville office used primarily for insurance fraud and the loss of fraud prosecutors. The office budget has been cut almost 30 percent in the last few years.

"This ranking is a testament to the dedication and Herculean effort put forth by our prosecutors and SLED agents fighting crime in the face of crippling budget cuts," McMaster said. "Our ultimate goal is to lead the nation in fewest incidents of insurance fraud, so we still have work to do."

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## Senate Judiciary approves scaled-back gang bill

Associated Press

**COLUMBIA, S.C.** - A bill that defines criminal street gangs is heading to the Senate floor, but only after losing some of its teeth Tuesday in the Senate Judiciary Committee.

The bill says a criminal street gang is a group of three or more people who go by a common name or use common identifying signs, symbols or colors and engage in violent and nonviolent crimes.

The bill had called for additional prison sentences and property forfeiture for people convicted of gang-related crimes. It also would have allowed prosecution of people not involved in a crime if they were part of a criminal gang.

But those portions of the bill were scrapped as black legislators threatened to block the bill during arguments about how a gang law may have affect blacks more than whites.

Sen. John Kuhn, R-Charleston, said worries about disproportionate conviction rates for whites and blacks didn't need to be a part of the bill's discussion.

"You've got to come into the real world, brother," Sen. Maggie Glover, a black Florence Democrat told Kuhn.

Sen. Jake Knotts, R-West Columbia, had pushed this bill and similar one when he was in the House for three years. Even with the changes, "it's a good bill," he said.

### ON THE NET

Criminal street gang bill: [http://www.scstatehouse.net/sess115\\_\\_2003-2004/bills/31.htm](http://www.scstatehouse.net/sess115__2003-2004/bills/31.htm)

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## Columbia's mayor wary of tattoo parlors

Gaining the blessing of the state Legislature may not be the last hurdle for people who want to open tattoo parlors in Columbia.

City Council is considering requiring tattoo parlor operators to apply for a special exception to the city's zoning rules to locate in the city.

South Carolina is one of two states in the country where tattoo parlors are illegal, but the state Senate has passed a law that would permit and regulate them. The bill awaits debate in the House.

If South Carolina decides to drop its ban on tattoo parlors, Columbia Mayor Bob Coble wants the city to take action of its own.

"We've gone all these years without tattoo parlors and have survived well," Coble said. "I would certainly love that we not have tattoo parlors in our city, but if the state allows them you've got to go by state law."

The city's zoning administrator is drafting an ordinance that would include tattoo parlors among businesses that must apply for a special zoning exception, meaning the City Council would have to approve each location.

"We need to be very careful as to where they are located, so that they are not located in parts of town that we're working hard to revitalize," Coble said.

— John C. Drake

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